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Lest We Forget Series

No. 1

Operation Murder

By

ANATOLE GOLDSTEIN

Edited by

MAXIMILIAN HURWITZ

INSTITUTE OF JEWISH AFFAIRS
WORLD JEWISH CONGRESS
1834 BROADWAY
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THIS BOOK
TELLING OF THE UNEXAMPLED MARTYRDOM OF EUROPEAN JEWRY
WHICH THROUGH MAN'S INHUMANITY TO MAN
LOST MILLIONS OF ITS FINEST MEN AND WOMEN
INCLUDING A NATION'S MOST PRECIOUS POSSESSION
ITS CHILDREN
IS DEDICATED
TO THE MEMORY OF

JAY JOSHUA MARCUS

WHOSE DEATH IN THE BLOOM OF YOUTH
SNUFFED OUT A LIFE THAT GAVE RICH PROMISE
OF SERVICE TO HIS PEOPLE AND HUMANITY

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PREFACE

The Institute of Jewish Affairs has from its very inception in 1941 engaged in collecting and compiling data relative to German atrocities during and preceding World War II. After the cessation of hostilities, the Institute made its archives and services available to those charged with the prosecution of the Nazi war criminals and was commended for its contribution by Justice Robert H. Jackson, Chief U. S. Prosecutor at the trial of Goering *et al.* in Nuremberg.

The Institute followed closely the Nuremberg and other trials of German war criminals and prepared, on the basis of this and other material, a number of manuscripts treating of the legal aspects of the trials and the evidence brought to light. It now plans to publish some of this material in a series of studies, at once scholarly and popular, dealing with the various phases of the German atrocities and the part played therein by the Nazi Party, the German Government, the Army, Big Business, the lawyers, and the physicians.

The purpose of this series is not to rehearse atrocities. Rather it is to remind the world and the Germans themselves of something which cannot and should not be forgotten. As Odd Nansen rightly remarks in the Postscript to his book, *From Day to Day* (New York: 1949), "the worst crime you can commit today against yourself and society is to forget what happened and sink back into indifference. What happened is worse than you have any idea of. And it was the indifference of mankind that let it take place."

This is the first study in the series. It describes and seeks to explain one of the greatest crimes against humanity, perpetrated by German task forces specially created for the purpose.

NEHEMIAH ROBINSON
Director, Institute of Jewish Affairs

October, 1949

CHAPTER I

INTRODUCTORY

"The Eastern Jew has suffered as no people ever suffered. . . . If I should write these horrors in words of my own, you would think me intemperate and unreliable."—Opening Statement of Justice Robert H. Jackson, American Chief Prosecutor in the Case of Goering *et al.*

On December 15, 1947, before an American Military Tribunal sitting in the ancient German city of Nuremberg, there opened one of the most amazing trials in history, officially known as Case No. 9. In the prisoner's dock were twenty-two Germans,* charged with Crimes against Humanity and War Crimes, including the unexampld murder, in Eastern Europe, of more than one million defenseless civilians, most of them Jews.

The figure of one million victims is so stupendous that the human mind can hardly grasp its significance. The Military Tribunal tried to make the figure more intelligible by suggesting that one

visualize not one million people but only ten persons—men, women, and children . . . falling before the executioners' guns. If one million is divided by ten, this scene must happen one hundred thousand times, and as one visualizes the repetitious horror, one begins to understand the meaning of the Prosecution's words: "It is with sorrow . . . that we disclose the deliberate slaughter of more than a million innocent and defenseless men, women and children."

For this was not a crime of passion—unless it was a passionate desire to excel in homicide—but deliberate, carefully planned, cold-blooded murder, carried out, in the words of the indictment, "as part of a systematic program of genocide, aimed at the destruction of foreign nations and ethnic groups by murderous extermination."

Nor were the defendants underworld characters, products of city slums, but men of considerable education, ten of them graduates of

* Originally there were 24 defendants, but one committed suicide, and the other was severed from the case because of his inability to testify.

universities or special schools, and some of them alumni of more than one university. Among them were lawyers, sociologists, economists, college professors and deans, an assessor, an architect, an opera singer, and even a clergyman. Yet these men abandoned the arts of peace and became commanders of special task forces called "Einsatzgruppen" whose primary purpose was to exterminate Jews, Gypsies, Soviet officials, and other elements of the civilian population of the occupied Eastern territories regarded as racially "inferior" or "politically undesirable." These special units, with the active support of the German Army, committed an offense which the Military Tribunal in its Judgment characterized "as a crime of such unprecedented brutality and of such inconceivable savagery that the mind rebels against its own thought image and the imagination staggers in the contemplation of a human degradation beyond the power of language to adequately portray."

Several questions arise at once. How was mass murder on so tremendous a scale accomplished? What defense could be offered by those implicated in so monstrous a crime? And where is one to look for the roots of the moral malady which corrupted the minds of twentieth-century men and made them behave like primitive savages?

In the following pages we shall endeavor to answer these questions.

CHAPTER II

THE MURDERERS IN ACTION

"Madness ruled, hate marched, the sky reddened with the flames of destruction and the world wept—and still weeps."
—Judgment of the Military Tribunal, Case No. 9.

Organization and Functions

The Einsatzgruppen were special task forces, or action units, which, at the order of Heinrich Himmler, were formed from the personnel of the SS, SD, the Gestapo, and other police units in May, 1941—i.e., on the eve of the German invasion of the Soviet Union. Every German army which operated in Soviet Russia had an Einsatzgruppe attached to it.

There were four such groups, each of which was divided into a number of subordinate units called "Einsatzkommandos" or "Sonderkommandos." Each Einsatzgruppe had its own field of operations: Einsatzgruppe A operated in Lithuania, Latvia, and Estonia; Einsatzgruppe B, in the area toward Moscow; Einsatzgruppe C, in Northern Ukraine; Einsatzgruppe D, in Southern Ukraine, the Crimea, and the Caucasus.

Before the opening of the Russian Campaign, a conference was held and the leaders of all these groups were instructed by Chief of Security Police Reinhard Heydrich about their mission and familiarized with Hitler's order for insuring the political security of the conquered territories in the Soviet Union. As one of their functions, nay, as their main task, there was envisaged the extermination of Jews, Gypsies, and Soviet officials, as well as other "undesirable elements" in the occupied regions.

The Einsatzgruppen were not large bodies, each consisting of 500 to 600 men, but they were authorized to ask for help from the German Army, which invariably supplied the needed men upon request. As Otto Ohlendorf, a defendant in Case No. 9 and a witness in the Case of Goering *et al*, who as commander of Einsatzgruppe D was by his own testimony responsible for the murder of 90,000 persons, testified:

Rather the order for the liquidation originated with Himmler, but since the liquidation took place in the operational region of the Army High Command, the Army was asked to support these measures. Without these instructions to the Army, the Einsatzgruppen would not have been able to function in the sense I have just described.

This was acknowledged by the other chiefs of Einsatzgruppen as well. Describing his activities in the Baltic States, Dr. Stahlecker, commander of Einsatzgruppe A, remarked modestly:

These self-cleansing actions went smoothly because the Army authorities . . . showed understanding of this procedure.¹

In many cases the role of the Army was more active. The aforesaid Ohlendorf testified:

In Simferopol the Army High Command asked the regular Einsatzgruppen leaders to hasten the liquidation on the grounds that a famine was threatening in this region and there was a housing shortage.

On September 12, 1941, General Wilhelm Keitel, the commander of the Eastern Front Army, issued a secret order which stressed that:

The fight against Bolshevism necessitates the indiscriminate and energetic accomplishment of this task, especially against the Jews, the main carriers of Bolshevism.²

Sir Hartley Shawcross, the British Chief Prosecutor in the Goering case, had this to say about the role of the German Army in the annihilation of the civilian population:

These actions were not only the work of the SS and Himmler. They were carried out in cooperation with the Army Commanders, with the full knowledge of Keitel and Jodl and, indeed, because every fighting soldier in the East must have known about them, with the knowledge also of every member of the Government and of its Armed Forces.³

Thus it is not only the defendants in Case No. 9 or even the 2,000-2,400 men comprising the Einsatzgruppen who are responsible for these heinous crimes against humanity. Much of the blame for them rests upon the German Army.

The pretext for these actions was the need for the ruthless stamping out of all opposition and resistance, real or supposed. Nor was the campaign confined to the actual carriers of anti-German sentiments; any germs of potential opposition had to be destroyed. That was the reason advanced for the murder of children.

Ohlendorf, who before he turned mass murderer had been a college professor, in answer to a question as to the necessity for killing Jewish children, gave this explanation:

I believe that it is very simple to explain if one starts from the fact that this order did not try to achieve only security but permanent security, because for that reason the children were people who would grow up and surely, being the children of parents who had been killed, they would constitute a danger no smaller than that of their parents.

That was the *leitmotif* in the self-exculpation of the defendants. The permanent security of the Third Reich was not only the end goal of the Germans; it was also the supreme law governing their actions which could and should absolve them of all blame. When the real or imaginary interests of the Fatherland were at stake, every moral scruple was excluded. The question of good and evil did not exist. No doubt existed when the greatness of the Third Reich, the supremacy of the Master Race, and the majesty of the Fuehrer were involved.

To be sure, it was not this consideration alone which played a role in these wholesale murders. The contempt for the Jewish people instilled by vulgar Nazi propaganda in the style of Goebbels and Streicher, also exercised its deadly influence. A very characteristic letter from a young officer to his general, congratulating the latter on his birthday, illustrates this contemptuous disdain. It deals with horses, girls, and—Jews. We quote in part:

I don't know if you, General, have also seen in Poland such horrible figures of Jews. I thank fate I saw this mongrel race like the man in the youngest days. . . .

Now, of the 24,000 Jews formerly living in Kamenetz Podolsk, we have only a disappearing percentage left. The little Jews (*Juedelein*) living in the districts also belong to our customer. We surge ahead without twinges of the conscience, and then . . . the waves close and the world is at peace.

This was the mentality of the men of the Einsatzgruppen who were let loose upon the defenseless civilian population, and particularly the Jews, of Eastern Europe.

The executioners were not required to indicate the reason for the murder of Jews. Heydrich's instructions gave them the green light. Sometimes, however, we find such justifications for the shootings as: "The Jews tried to prevent their removal to a ghetto," or Jewish women were shot "because they displayed a particularly disobedient attitude," without indicating what had caused that attitude. In one report it is hinted that the extermination of 1,303 innocent Jews was carried out because those accused of certain crimes could not be located. But, in general, it was sufficient to explain the killings by branding some groups of individuals as "Asiatic inferiors," "asocial," "politically tainted persons," "racially or mentally inferior

elements." Danger of epidemics also served as a pretext for wholesale murder. Thus we read in one report: "In regard to the spread of the current epidemic the Einsatzkommando took care of a total of 11,328 till September, 1941." For not only the heads of Einsatzgruppen but the leaders of Einsatzkommandos were authorized to take such measures on their own responsibility.

The number of victims given in the individual reports of the Einsatzgruppen varies, ranging from a few scores of persons to tens of thousands. For instance, Einsatzgruppe D reported that in the Black Sea port city of Nikolaev alone 31,765 persons had been annihilated; in its final account of the massacres in Kiev, the same group recorded a total of 51,000 slain. Einsatzgruppe A at first reported 71,105 victims in Lithuania and later corrected the figure to 80,311.

To be sure, along with Jews, Communists were killed, and after that other members of "inferior" races. Now, there are no definitive statistics on the proportion of victims according to race and political creed. However, the figures given below concerning the exterminations of civilians in the Baltic States and White Ruthenia warrant the conclusion that Jews represented the overwhelming majority of the victims. These data, which are not complete and cover only the period from the outbreak of Russo-German hostilities till October 15, 1941, or less than four months, give the following ratio:

	<i>Jews</i>	<i>Communists</i>
Lithuania	80,311	860
Latvia	30,025	1,845
Estonia	474	689
White Ruthenia	7,620
	<hr/> 118,430	<hr/> 3,387

In a report dated January 2, 1942, on operations in Western Crimea, it is stated that in one month (November 16 through December 15, 1941), 17,645 Jews, 2,504 Karaites (whom the Germans regarded as Jews), 824 Gypsies, and 212 Communists and Partisans were shot. Einsatzkommando 8 (a subordinate unit of Einsatzgruppe B) reported that in a period of 24 days it had executed 25 Russians, 33 Gypsies, and 1,351 Jews. Einsatzkommando 5 (a subsidiary of Einsatzgruppe C) boasted that in six days (November 2-8, 1941) it had killed 15 Soviet officials, 215 saboteurs and looters, 414 hostages, and 10,650 Jews.

The Military Tribunal, after analyzing these figures and noting that Jews were the principal victims, remarked:

The Jews were bound to be wrong no matter what they did. If they wore their badges they could expect maltreatment, since they were recognized as Jews; if they left them off, they were punished for not wearing them. If they remained in the wretched and overcrowded ghettos they suffered from hunger; if they left in order to obtain food they were "marauders."

"Out of Their Own Mouths"

Perhaps never before have the criminal activities of defendants been described in such gruesome detail and with such incredible accuracy by the accused themselves as in the case of the commanders of the Einsatzgruppen. Indeed, the evidence presented by the prosecution consisted almost entirely of official reports, 253 in number, prepared and submitted by the defendants in the line of duty.

These periodic operational reports were written on the spot, perhaps when the corpses of the slain were still warm. They were precise in their account of the executions and number of victims, as required by military regulations. The executioners reported with the cold-blooded exactness of an experienced and conscientious book-keeper and the heartlessness of an adding machine.

These statements were checked and rechecked by means of cross examinations; their itemized balance sheets of "disposed-of" victims and looted property were verified and affirmed by oral testimony; and the accused themselves, without any moral or physical duress, voluntarily acknowledged the correctness of the data and the fairness of the conclusions drawn therefrom concerning their overt and camouflaged crimes. There can therefore be no doubt as to the reality of the events described, even though the events themselves are so horrible as to seem incredible.

In some reports the murderers did not wish to call things by their right names. Instead of "killed" or "executed," they resorted to such euphemisms as "disposed of," "liquidated," "rendered harmless," "taken care of," "got rid of the Jews," "Jews were subjected to special treatment," "the Jewish problem was solved." The Military Tribunal rightly remarked that:

Once the word Jew appeared in reports, it was known that this invariably meant that he had been killed. . . . When an Einsatzkommando "took care of" anybody, only one person could be of service to the person "taken care of" and that was the grave-digger.

Instigating Pogroms

The most glaring picture of the activities of the Einsatzgruppen we find in the report of Dr. Stahlecker, commander of Einsatzgruppe

A, which operated in the Baltic States, beginning with the second day of the war against the USSR (June 23, 1941).

As a rule, during the first hours after a territory was captured, local anti-Semitic elements were rallied and charged with the immediate organization of anti-Jewish pogroms. "Following our orders," Dr. Stahlecker writes, "the Security Police was determined to solve the Jewish question with all possible means and most decisively," but diplomacy dictated that mob action be employed at first.

It was desirable (he explains) that the Security Police should not put in an appearance, at least in the beginning, since the extraordinary, harsh measures were apt to arouse even German circles. It had to be shown to the world that the native population itself took the first action by way of natural reaction against oppression by Jews during several decades and against the terror exercised by the Communists during the preceding period.⁴

But the Germans did not always succeed with this method. Thus, speaking of the pogrom in Kovno, which in the report is called a "self-cleansing movement of the local population," Dr. Stahlecker remarks sadly: "To our surprise, it was not easy at first to set in motion an extensive pogrom against Jews."⁵

Shortly afterwards the Germans succeeded in winning over Klimaitis, the leader of the Lithuanian Partisans, who gathered the scum of the local population and organized a "spontaneous" pogrom in such a way "that no German order or instigation was noticed from the outside." As a result of this 2-day massacre (June 25-26, 1941) they "got rid of" more than 1,500 Jews, set fire to several synagogues or destroyed them by other means, and burned down about 60 Jewish homes. "During the following nights about 2,300 Jews more were rendered harmless in a similar way."

In order to convince both contemporaries and future generations that the pogroms were the result of the "natural reaction" of the native population against the Jews, Dr. Stahlecker saw to it that pictures of the scenes of plunder and massacre were taken as indisputable proof that "the first spontaneous executions of Jews and Communists were carried out by Lithuanians and Latvians."

In the judgment of the Court, this instigation to pogroms was "from a moral point of view worse than their own directly committed murders. . . . To stir up passion, hate, violence, and destruction among the people themselves, aims at breaking the moral backbone even of those the invader chooses to spare. It sows seeds of crime which the invader intends to bear continuous fruit, even if he is driven out."

Methods and Techniques of Mass Murder

It was realized, however, that the Jewish problem in the East could not be solved by pogroms alone. Accordingly, recourse was had to another and far more effective method: "execution detachments," composed partly of natives and partly of Germans, were formed as "auxiliary police" and assigned the task of killing Jews in the towns and villages.

"In accordance with the basic orders received . . . the cleansing activities of the Security Police had to aim at the complete annihilation of the Jews." Hence, despite the fact that the Germans needed workers for their war industries, the Jewish workers were exterminated as soon as it was possible to replace them with local Gentiles or with Germans imported from abroad. When it was impossible to find substitutes, the leaders of the Einsatzgruppen explained why they did not annihilate the Jewish workers. After a mass extermination in Minsk, where before the war 100,000 Jews had lived, the officer reporting stated that in this city "about 1,800 Jews are living, whose shooting must be postponed in consideration of their being used as laborers."

The German Commissioner General for White Ruthenia, who exercised almost unlimited authority, wrote on July 31, 1942, that

after the termination of the demands of the armed forces, the SD and I would like it best to eliminate Jewry once and for all in the District General of White Ruthenia. For the time being, the necessary demand of the Armed Forces, which are the main employers of Jewry, are considered.⁶

According to reports of Einsatz commanders, a typical method of rounding up the Jewish population for execution was as follows: Immediately after entering a town or village, the commander of the detachment called a council of Jewish Elders. The Elders with the Rabbi at their head were instructed to register the Jewish population for the purpose of resettlement. After the registration the bulk of the Jews were assembled at a given place for extermination. The German officer thanked the Elders for their cooperation and invited them to mount the truck standing outside and drove them to the same spot in the woods where the rest of the Jews were gathered and shot them together with the other victims.

In the large and cultured city of Kiev the Jewish population was requested by means of posters to move from the city to the vicinity. We are told that:

Although only . . . approximately 5,000 to 6,000 Jews had been expected at first, more than 30,000 arrived who, until the very moment

of their execution, still believed in their resettlement, thanks to extremely clever organization.

In order to discover the hideouts of the Jews, the Germans let it be known that there was no need for Jewish children to hide and that their lives and well-being would not be endangered. The unfortunate parents let their children out of the hiding-places, thereby betraying their location to the watching Germans. The hideouts were thereupon broken into and bloodhounds sent in to drive the inmates out.

According to Ohlendorf, the executions

were carried out in military fashion. The victims were transported to the execution place in trucks and were immediately executed. In this way the attempt was made to keep the time as short as possible in which the victims knew what was about to happen to them until the time of their actual execution.

That was considered a display of humanity.

One of the defendants in Case No. 9, Paul Blobel, commander of a Sonderkommando which killed nearly 15,000 Jews, described in some detail one operation directed by him personally:

Out of the total number of persons designated for the execution, 15 men were led in each case to the brink of the mass grave, where they had to kneel, their faces turned toward the grave. At that time, clothes and valuables were not yet collected. Later on this was changed. . . .

When the men were ready for the execution one of my leaders who was in charge of the execution squad gave the order to shoot. Since they were kneeling on the brink of the mass grave, the victims fell, as a rule, at once into the mass grave.

I have always used rather large execution squads, since I declined to use men who were specialists for shots in the neck (*Genickschusspezialisten*). Each squad shot for about one hour and was then replaced. The persons who still had to be shot was then replaced. The persons who still had to be shot were assembled near the place of execution, and were guarded by members of those squads which at that time did not take part in the executions.

Another officer, whose detachment killed 1,500 Jews in a single execution, reported that "the arrested Jewish men were shot without ceremony and interred in already prepared graves."

The Military Tribunal devoted 136 days to an examination of the evidence, consisting of 731 documents, presented in behalf of the defendants. The Court stated:

There were different techniques in execution. There were Einsatz commanders who lined up their victims kneeling or standing on the edge of the grave, facing the grave, others who had the executees stand with their backs to the grave, and still others . . . who had their

victims stand in the grave itself. One defendant described how the victims lined up at the edge of the ditch and, as they fell, another row stepped into position so that, file after file, the bodies dropped into the pit on the bleeding corpses beneath.

No matter how the executioners tried to crush the spirit of defiance on the part of the unfortunate victims in the last minutes of their lives, they did not always succeed. One defendant related how some victims destined to be shot in the back had turned around and bravely faced their executioners, but said nothing. Almost invariably the victims went to their death silently.

This greatly upset the Nazi hangmen, who regarded such behavior as unnatural, nay, as positively inhuman. Commented the Court:

The silence of the doomed was mysterious, it was frightening. What did the executioners expect the victims to say? Who could find words to speak to this unspeakable assault on humanity, this monstrous violence upon the dignity of life and being? They were silent. There was nothing to say.

These shootings were the standing, daily job of the executioners. They reported about their "achievements," as is customarily done by the military in regard to everything connected with their strategic or tactical tasks; and when the executions could not be carried out on the projected scale, they explained what had prevented their accomplishment and promised to speed up matters. For example, when during the first days only 96 Jews were executed in Grodno, the commander concerned hastened to offer this reassurance to his superiors: "I gave orders that considerable intensification was to take place there."

The Gas Vans

A special place in the technique of mass murder must be assigned to the gas vans. They were devised because of the disturbance which sometimes occurred when husbands, wives, and children were killed together. To avoid these emotional scenes, the specialists in wholesale murder back in Berlin recommended that, after the deportation of men, their families be told that they were going to be resettled in various towns where they would rejoin their husbands and fathers. To obviate any possible suspicion, the vehicles for transporting them outwardly resembled house trailers. Second Lieutenant Dr. Becker, who had the honorable duty of tricking the unfortunate women and children, speaks with pride of his invention:

I ordered the vans to be camouflaged as house trailers by putting one set of window shutters on each side of the large vans, such as one often sees on farm houses in the country.

Once the victims were inside this ingenious truck, the doors closed automatically and hermetically, the driver stepped on the accelerator, and monoxide gas from the engine streamed in. By the time the van reached its destination, the occupants were dead.

Members of the Einsatzgruppen had to unload the corpses. But the sight of masses of defunct women and children affected even the iron nerves of the SS men. In the above-quoted report Dr. Becker pointed out "the immense psychological injuries and damage to health which that work can cause" to his men, who complained of headaches after every unloading.

Special courses were established and students instructed in the handling of these lethal vehicles and the poisoning of the unfortunate passengers.

But, alas! the secret of these attractive and inviting house trailers could not be kept for long, and the same Dr. Becker sadly reports:

The vans became well known, so that not only the authorities, but also the civilian population called these vans "death wagons" as soon as one of these vehicles appeared. It is my opinion that the can cannot be kept secret for any length of time, not even when camouflaged.⁷

Ratzloff, a defendant in the Kharkov (U.S.S.R.) Nazi war crimes trial who had assisted in the operations with the gas vans, testified that some of the prisoners offered resistance when the death vehicle was being loaded, but they were beaten with clubs and forced to get in. He described a gruesome scene with a woman carrying an infant in her arms. She shrieked and rushed at an officer standing nearby and scratched his face. The officer and his comrade drew their pistols and shot the woman dead. Other women wept aloud, some of them falling upon their knees and begging for their lives.⁸

Robbing the Dead

Among the reports of the Einsatzgruppen there is one on the massacres in Kiev. Although numerous other reports contained balance sheets of victims, this concise and dry account claims our attention for two reasons:

(1) The striking exactness in counting the number of those executed. The five-digit figure of the preliminary report on the slain includes a 1 at the end (33,771), and this punctilious accuracy affords us a picture of the cool-headed, methodical, thrifty, murderer, who prepared an inventory for his chief without errors or omissions.

(2) The business-like thrift of the hangmen manifests itself again by indicating that clothes, shoes, and valuables were removed from the still warm corpses of the victims, supposedly for "distribution among the needy."

This spoliation of the personal property of the murdered victims is characteristic of German behavior in World War II, particularly when those slain were Jews. The Court, in its judgment in Case No. 9, stressed this practice of expropriating Jewish property and added that

even in the dread business of manslaughter, a definite profit was rung up on the Nazi cash register.

The Court illustrated this statement with some examples taken from the official Einsatz reports. For instance, in Zhitomir (Volhynia) 137 truckfuls of clothing were removed from liquidated Jews. Gold and silver watches were sent to Berlin and to members of the Einsatzgruppen "for a nominal price or even gratuitously"; seized money was transmitted to the Reichsbank in Berlin or used to pay wages to the men who took part in such operations. The furniture and dwellings of the murdered Jews were distributed among Germans.

This combination of cold-blooded murder and brazen robbery moved the Court to exclaim:

Although engaged in an ideological enterprise, supposedly on the highest ethnic and cultural level, executants of the program were not above the most petty and loathsome thievery.

Some Feeble and Belated Protests

The slaughter of Jews was carried out in such a ruthless manner that sometimes the hangmen themselves raised objections. Thus Wilhelm Kube, Commissioner General for White Ruthenia, wrote a secret letter to his chief, Heinrich Lohse, in which he stated that among the deported German Jews there were veterans of World War I decorated with Iron Crosses of the First and Second Class, invalids, half-Jews, even quarter-Jews. He pointed out the difference between "Eastern" and "Western" Jews, the latter having tasted of German culture. He objected to their violent extermination, especially as "the Jews will probably freeze or starve to death within the next few weeks anyway."

However, these moments of doubt did not last very long. Blind obedience to the Fuehrer and personal interest got the upper hand. Only six months after his mild protest, Kube urged the extirpation of all Jews.

This and similar protests were based, not on principles of humanity, but solely on the fear that the atrocities were hurting German prestige and menacing public order.

Peace and order (wrote the SS Commissioner General for White Ruthenia) cannot be maintained in White Ruthenia with methods of

that sort. To bury again seriously wounded people who have worked their way out of their graves is such a base and filthy act that this incident . . . should be reported to the Fuehrer and the Reich Marshal [i. e., Goering].

The aforesaid Commissioner General, describing an execution, said that everywhere in the town shots were heard and the corpses of slain Jews piled up. He vigorously protested the looting by police battalions not only of Jewish homes but of those of White Ruthenians as well. "Anything of use, such as boots, leather, cloth, gold, and other valuables, has been taken away."

In June, 1943, when the Eastern front began to crack, the Reich Commissar for Ostland showed signs of uneasiness in the face of the unfolding events. In a secret report to the Reich Minister for the Occupied Eastern Territories, while admitting that "the Jews receive special treatment," he deemed it necessary to suggest that

it should be possible to avoid atrocities and to bury those who have been liquidated. To lock men, women, and children into barns and set fire to these, does not appear to be a suitable method of combating bands, even if it is desired to exterminate the population. This method is not worthy of the German cause and hurts our reputation severely.⁹

In order not to hurt the good name of the otherwise "stainless" Master Race nor to jeopardize the creation of the Greater Reich, the Nazis hit upon a scientific way of exterminating Jews by means of concealed gas chambers situated in concentration camps, where their deeds were screened from the public gaze.

And who were the exterminated Jews, Were they saboteurs, spies, active enemies of the German Reich? Did they constitute a menace to the German Army?

The answer to these questions may be found in a report by one of the German officials:

They [the Jews] tried to avoid everything that might displease the German Administration. That they hated the German Administration and Army inwardly goes without saying and cannot be surprising. However, there is no proof that Jewry as a whole or even in considerable part was implicated in acts of sabotage. . . . It cannot be said that Jews as such represented a danger to the German Armed Forces.¹⁰

CHAPTER III

DEFENSE AND REBUTTAL

Introducing the Defendants

The principal perpetrators of the wholesale slaughters described in the preceding chapter were not members of a sect of fanatical killers, like the Thugs of India. Nor, as stated above, were they underworld characters, but men of considerable education. Let us glance briefly at some of them.

OTTO OHLENDORF: Lawyer and educator. He studied law and political science at the Universities of Leipzig and Goettingen. After practicing law for a time he became Deputy Department Head at the Institute for World Economics in Kiel and subsequently Department Head at the School of Applied Science in Berlin. In one affidavit submitted by him we read that "he did not see any superior and inferior races in various peoples . . . he considered race only as a symbolic notion. In his view, the individual nations were not superior or inferior, but different." Yet by his own admission he was responsible, as commanding officer of Einsatzgruppe D, for the killing of 90,000 persons who were distinguished from his own people by nothing more than "a symbolic notion."

FRANZ SIX: Specialist in sociology, one time Professor of Political Science at the University of Koenigsberg and later at the University of Berlin. He branded as a "shame and scandal" the burning of synagogues without an order, but regarded the killing of male Jews as proper because they were "potential bearers of arms," and because the execution was in accordance with the Fuehrer's order. After having completed his task as commander of Vorkommando Moskau of Einsatzgruppe B, he was appointed a consultant on the Jewish question. In this capacity he attended a conference of consultants at Krumhuebel in April, 1944, at which he expressed approval of the physical destruction of the Eastern Jews because it would deprive Jewry of its biological reservoir.

WALTER BLUME: Doctor of Laws and, during the war, commander of Sonderkommando 7a of Einsatzgruppe B. He did not

conceal his worship of Hitler because of the Fuehrer's success not only in domestic affairs but in conquering almost the whole of Central Europe. The only guilt he admitted, was that "as an individual he was not able . . . to carry out the Fuehrer's order"—i.e., that he had not killed more people.

WERNER BRAUNE: Doctor of Laws and, during the war, commanding officer of Sonderkommando 11b of Einsatzgruppe D. When asked if the Jews had been given a trial before being executed, he replied: "Mr. Prosecutor, I believe that it has been made sufficiently clear here that under the order which had been issued, there was no scope to hold trials of Jews."

WALDEMAR KLINGELHOEFER: Well-known concert and opera singer. In 1941 he was assigned as an interpreter to Einsatzgruppe B, which killed 45,467 persons. But his duties were not confined to translation work. A few months after his assignment as interpreter, he assumed command of Sonderkommando 7b of Einsatzgruppe B. In one of his affidavits he owned to having shot 30 Jews because they had left the ghetto without permission. He also admitted that he had shot three women for having spoken with some Partisans. Presumably because of their sex, however, he had shown them special consideration, such as having them blindfolded before their execution and then giving them a separate grave, which he thought most magnanimous on his part.

PAUL BLOBEL: Architect. During the war he was commander of Sonderkommando 4a of Einsatzgruppe C and, as such, responsible for the killing of 60,000 persons. Once, while driving with a friend through the country in which he "operated," he pointed out a mass grave to his companion and said with evident pride and satisfaction, "Here my Jews are buried." He told the Court that he had joined the Nazi Party after the financial crash of 1929 because "he was down to his last shirt." The Court remarked pointedly that "this hardly explains to law and humanity why a general economic depression which affected the whole world justified the defendant going into Russia to slay tens of thousands of human beings and blow up their bodies with dynamite."

ERNST BIBERSTEIN, alias Szymanowsky: Pastor of the Lutheran Church, who changed his name when he voluntarily gave up his pastoral duties and assumed those of a wholesale executioner as commander of Einsatzkommando 6 of Einsatzgruppe C. Despite the existence of records bearing his signature which showed that the unit commanded by him had killed 2,000 persons, he lyingly disclaimed all knowledge of the executions, admitting only that he

had witnessed two of them, and these only because the chief of Einsatzgruppe C had "wished him to have the experience of watching an execution." When asked why he, a minister of the Gospel, had permitted people to go to their death without religious ministrations, he replied insolently, "I did not want to cast pearls before swine."

Ten of the defendants were graduates of universities or special schools, while the rest were high school graduates. In civilian life, they were employed in the civil service or by private concerns, or else were self-employed. They all joined the SS and SD organizations voluntarily and pledged their allegiance to Hitler because they looked upon him as the savior of Germany. They all believed in the right of the Master Race to dominate the world. Moreover, they were not blind tools in the hands of the Fuehrer. They were not only students but teachers and preachers of a ruthless ideology completely devoid of any morality and humanity. They were commanders and officers of Einsatzgruppen; some of them were generals or held other high military rank. Decidedly, they were well aware of their task.

For, in spite of their high-sounding military titles, they were not trained military officers. None of them was versed in war strategy or tactics. Their activities did not require it. Their job was not to destroy the military power of the enemy but to annihilate the peaceful population behind the lines of combat.

In their splendid uniforms they went about inciting wholesale murder and ordering shootings. But, as the Chief Prosecutor, Brigadier General Telford Taylor, charged in his opening statement, they were guilty of

more than murder, for we cannot shut our eyes to a fact ominous and full of foreboding for all mankind. Not since men abandoned tribal loyalties has any state challenged the right of whole peoples to exist. And not since medieval times have governments marked men for death because of race or faith. Now comes this recrudescence—this Nazi doctrine of the master race—an arrogance blended from tribal conceit and a boundless contempt for man himself. It is an idea whose toleration endangers all men. It is, as we have charged, a Crime against Humanity.

The Defendants Try To Explain

Additional light is thrown upon the mentality of the defendants by the statements they made in court in explanation or justification of the slaughter of defenseless men, women, and children.

The Military Tribunal, stunned by these mass murders "that defy language in the depth and vastness of their brutality," sought to

clear up whether or not the figures concerning the victims were given in the reports correctly.

The possibility of an error in these astronomical figures was rejected by the defendants as insulting. Defendant Schubert stated that the reports contained only accurate details about the operations, including exact data on the number of persons killed. Defendant Blume declared that he regarded it as "unworthy of himself" to think that he could ever present a false report.

According to them, consistency required that no exceptions be made in carrying out the Fuehrer's order. One of the Einsatzkommando chiefs testified that he had been reprimanded for not shooting women and children during mass exterminations.

In contending that the killing of Jews as enemies of Germany in wartime was justified, the defendants tried to show that they had been very "humane" in shooting defenseless people and repeated again and again that the requirements of military and humane considerations had been observed.

Obviously, they construed the phrase "humane considerations" in the same manner as did Himmler, who, together with Heydrich, was the initiator of all exterminations. In his Posnan speech Himmler said that Germans

are the only people in the world who have a decent attitude toward animals and will assume a decent attitude toward these human animals [i.e., the Jews].¹

This attitude was mass murder instigated by the greatest of all mass murderers.

Many of the defendants testified that they were shocked by Hitler's order when they first heard it. However, the evidence showed that they were only trying to disclaim personal responsibility for their actions.

When the defendant Braune testified that he had opposed the Fuehrer's order, he was asked if he had ever released any of the victims. He answered:

I did not search for children. I can only say the truth. There were no exceptions, and I did not see any possibility.

The defendants attempted to prove their personal aversion to atrocities in general, and contended that their civilized behavior at home was proof that they had committed those outrages in Eastern Europe under superior orders.²

One of the defendants quoted Kaiser William II, who said that if the military or general situation required it, a soldier must carry out an order "even if he has to shoot his parents."

When the defendant in question was asked whether he would execute such an order, he answered that he must have time to mull over this query. The Court granted him time and postponed his interrogation.

The next day the defendant categorically replied that he considered such an order inhuman and would not obey it. The Court then asked him, Why did you take part in the execution of other people's parents? Why did the other defendants do likewise if they had the choice in the matter of obeying superior orders? These questions went unanswered.

Some of the defendants made no attempt to hide their hatred and contempt for the Jews. Eduard Strauch, a Doctor of Laws, openly admitted that he had been a relentless and merciless oppressor of Jews, and displayed considerable indignation when anyone sought to defend them. Another defendant had been so poisoned by the Nazi propaganda that he considered it impossible for a German to listen to Mendelssohn's music or Offenbach's *Tales of Hoffman*. During the war he once invaded the office of his superior and killed 70 prisoners. He did not consider his action reprehensible. Nor did he think it wrong to remove gold fillings from the teeth of Jews designated for extermination.

Perhaps the most fantastic explanation of all was that of the defendant Blobel, who, as previously stated, had directed executions which took a toll of 60,000 human lives. He explained that the Jews had been easily prepared for what was awaiting them. On hearing this astonishing statement, the Court asked the defendant whether, in other words, he wished to say that the victims had gone to their death quite happily. Blobel answered:

I would not say that they were happy. They knew what was going to happen to them. Of course, they were told what was going to happen to them, and they were resigned to their fate, and that is the strange thing about these people in the East.

Commenting on Blobel's testimony, the Court said that "history will be his debtor for the authoritative account he rendered on mass executions from the standpoint of the slayer and the slain." To Blobel and his confederates a silent victim was inhuman and the executioner deserved more pity than those who perished at his hands because he suffered nervous exhaustion.

Pleas and Counterpleas

One of the pleas advanced by the defendants' attorneys was that their clients had acted for the benefit of Germany in committing the wholesale slaughter of the civilian population; therefore, they could

not be considered criminals. In the opinion of counsel for the defense, these acts for the benefit of the Reich were caused by necessity and hence were "unrestrictedly admissible." For the protection of the higher interests of Germany, Germans had a right to butcher women, children, and old men! The Court rejected with indignation such a philosophy of annihilation, which could turn humanity back to primitive savagery. "The fact that this astonishing proposition is advanced in all seriousness demonstrates how desperate is the need for a further revaluation of the sacredness of human life and for emphasizing the difference between patriotism and murder," the Court declared.

The defense attorneys reached the height of insolence when they tried to explain that the problem of "Bolshevism vs. Europe" could be solved only "by unreserved execution of the Fuehrer's order." But the Court held that the murders instigated or committed by the defendants, even "by the widest stretch of the imagination, cannot be justified as an act of self-defense in behalf of Germany. . . . In killing Jews the defendants did not succor Germany from any real danger."

As a supreme reason for exonerating their clients the lawyers for the defense invoked the plea of superior orders—i.e., that the defendants were under military orders of superiors and could not but obey. But the Court declared that the obedience of a soldier is not that of an automaton. An order requiring obedience must relate to military duty and be within the competence of the superior. "The subordinate is bound to obey only the lawful orders of his superior, and if he accepts a criminal order and executes it with a malice of his own, he may not plead superior orders in mitigation of his offense."

There was no lack of arguments based on military tactics. Defense attorneys argued that the defendants must be exonerated for the killing of the civilian population, since "every Allied nation brought about the death of non-combatants through the instrumentality of bombing." The Court denied the alleged similarity between an act of legitimate warfare, such as the bombing of a non-open city, and the "premeditated killing of all members of certain categories of the civilian population in occupied territory."

Summarizing the arguments of the defense, the Court asserted that

annihilation of the Jews had nothing to do with the defense of Germany, the genocide program was in no way connected with the protection of the Vaterland, it was entirely foreign to the military issue.

. . . The argument that the Jews themselves constituted an aggressive menace to Germany, a menace which called for their liquidation in self-defense, is untenable as being opposed to all facts, all logic, and all law.

A Contrast

A striking and disconcerting contrast is afforded by the difference in the attitude of Goering and the other top Nazis during their trial before the International Military Court in 1945-1946 and that of the Einsatz commanders who were tried two years later.

The trial of Goering *et al* commenced at a time when the Germans were still dazed and dejected by their crushing defeat and also by the terrible impression made upon the whole world by the atrocities they had committed against millions of helpless, innocent civilians. Roosevelt's and Churchill's warnings of retribution still rang in their ears. The defendants tried to prove that they had neither participated in the unprecedented outrages nor known about all the crimes which were attested orally, as well as in documents and films presented in the courtroom.

To be sure, they did not deny their anti-Semitism, which they attributed to the position of Jews in Germany after the German defeat of 1918. But they averred that all they had done was to eliminate Jews from the political, cultural, and economic life of the country. They tried to convince the International Military Court that they did not believe in racism; and Ribbentrop, who as Foreign Minister of the Third Reich had forced all the occupied and satellite countries to deport their Jews to Poland (where they were eventually liquidated), had the effrontery to affirm that he did not know "about the race theory," and that he was not an anti-Semite.

Goering, second only to Hitler in Nazi Germany, declared:

I have never expressed any agreement with the theory that one race is superior to the other and should be destroyed by the master race.

Funk, Hitler's Minister of Finance, sought to clear his conscience with the following statement:

I had a deep sense of guilt and a deep sense of shame about that which took place toward the Jews in Germany and . . . at that period of time when the terror and violence began, I had a strong conflict with my conscience.

Even Frank, the ruthless executioner of Polish Jewry, voiced his remorse from the prisoner's dock:

I feel a terrible guilt within me. . . . A thousand years will pass and this guilt of Germany will still not be erased.

Dethroning his Fuehrer, love for whom he had once proclaimed a legal concept,⁸ Frank, in the course of his last remarks, said:

Hitler disappeared into the dark through his suicide; we have a tremendous responsibility.

Baldur von Schirach, the leader of the German youth, echoed Frank, declaring penitently:

It is my fault for having trained our youth for a man who was an assassin, who killed millions of people.

Kaltenbrunner, who had been top man in the SD and who had instituted the gas chambers in the concentration camps, said that he condemned "these terrible mass murders to the utmost," and that "the anti-Semitism of Hitler, as we know it today, was barbarous."

And Saukel, the greatest slave driver in the history of mankind, perhaps under the effect of the ten-month trial after his long service to Nazism, uttered these human words:

I bow before the victims and those who died—members of all nations.

It is another matter whether we can believe in the sincerity of these eleventh-hour professions. But it is significant that, even before sentence was passed, the defendants buried the theory they had served.

By the time the trial of the Einsatz leaders took place the political situation and climate had changed. The denazification of the Germans had proven a failure. Germany had begun to recover economically with the aid of the United States. The Germans had acquired more voice in their political affairs, and there was an evident revival of the Nazi ideology. This ideology may have assumed other forms, but the basic ideas remained the same.

That was why at this trial of twenty-two commanders of small task forces which had murdered more than a million people, the defendants and their counsel did not conceal their philosophy of annihilation, but boldly proclaimed the right of Germans to exterminate the civilian population, including little children, of neighboring countries in order to build a Greater Germany, and brazenly insisted that the extirpation of Jews was no more than retaliation for the bombardment of German cities, that is, a simple war reprisal.

CHAPTER IV

THE PHILOSOPHY OF ANNIHILATION

The Root of the Evil

The real explanation of the unparalleled crimes perpetrated by the Einsatzgruppen and other German forces, the root of the evil which corrupted Germans and brought about a second Fall of Man, as it were, in the twentieth century, is to be found in the Nazi ideology which animated them and motivated their actions.

The French Prosecutor in the case of Goering *et al* came near the heart of the matter when he said that Nazism aspired to

plunge humanity back into barbarism, no longer the natural and spontaneous barbarism of primitive nations, but into a diabolical barbarism, conscious of itself and utilizing for its end all material means put at the disposal of mankind by contemporary science.

This arch-barbarism, and not the renunciation of the Judeo-Hellenic civilization of which Germany was once a part, is the original sin of Nazism which explains all the crimes committed by the Germans.¹

To Hitler, the Germans were the supernational, as superior to other nations as the superman is to ordinary men. If the German people needed more territory for *Lebensraum* (living space) it was entitled, by virtue of its superiority, to take the land of any other people and to make room in it for German settlers by destroying the original inhabitants.²

It was Hitler's dream to conquer the lands of Eastern Europe, populated by "lesser breeds," and to "Germanize" their soil—i.e., to rid it of its native inhabitants and to colonize it with Germans or with those people who, by virtue of blood, are kindred to the people of Germany.³

Hitler went further, saying:

This right of the German people to expand its territory at the expense of its neighbors becomes a duty, for here it is a situation where not merely some little nigger nation or other is involved but the Germanic Mother of Life, which has given the present-day world its cultural picture.

In this expansion all so-called "human considerations" must be disregarded. "When the nations of this planet fight for existence,

when the question of destiny, 'to be or not to be,' cries out for a solution, then all consideration of humanitarianism or aesthetics crumble into nothingness."

This threw the door wide open for atrocities.

It will thus be seen that the policy of genocide pursued by the Germans during the war was no "war baby." Indeed, as early as 1934, or only one year after the Nazis came to power, Hitler in a conversation with Rauschning said that the Germans must pursue in the occupied countries "a policy of systematic depopulation," i.e., of complete removal of all non-German racial groups. He concluded the conversation by declaring that "if nature is cruel," the Germans must be cruel, too. In another conversation Hitler was more explicit, saying that the victor would need a "special technique for depopulating countries where it would be necessary to exterminate whole peoples."⁴

Only a thin veneer separates this utterance from the more brutal speech delivered by Hitler at Berchtesgaden on August 22, 1939, to an intimate circle of generals who were soon to become the "heroes" of the Polish Campaign. Recalling to them the name of Genghis-Khan, who did not hesitate to send to their death millions of women and children and whom history, overlooking all this, still regarded as the builder of a great state, Hitler told his generals:

The game of war does not consist in capturing certain lines, but in the physical destruction of the adversary. Accordingly, I have ordered my Death's Head units, for the time being only in the East, to be prepared to slaughter without mercy every man, woman, and child of Polish descent and speech. Only thus shall we win the living space we need.⁵

In such a biological, or rather zoological, conception of international relations and war, any thought of humanity would be out of place.

A Nazi ideologist produced what might well be called a Philosophy of Annihilation. He maintained that

the extermination . . . of foreign peoples does not conflict with the law of life, if carried out in totality.⁶

During the war this philosophy was accepted by the German military commanders. Thus Field Marshal Karl von Rundstedt, after having stated that one of the chief mistakes made by Germany during World War I had been the preservation of the civilian population in the occupied countries, went on to say:

We must number at least twice the population of our neighbors. Therefore we shall be compelled to destroy at least one-third of the popula-

tion in all adjacent territories. We can best achieve this through systematic malnutrition. In the end, far superior to machine guns, starvation works more effectively, especially among the young.⁷

These ideas, plus the duty of blind obedience to an all-wise, supreme leader, were incessantly inculcated on the minds of the naturally docile Germans by every modern publicity device at the command of the greatest propaganda machine the world has ever seen.

But while this accounts for the frame of mind which predisposed Germans to genocide, it does not explain why the chief victims of their unleashed fury were Jews. To understand that, we must know the role assigned to the Jew in Nazi ideology.

Nazi Anti-Semitism

Nazi anti-Semitism was compounded of extreme racial hatred, envy, and shrewd psychology. To Hitler and his followers, the Jew was the villain of history and the arch foe of the German race. He was an ape, a miserable subhuman being, a bacillus poisoning the bloodstream of the German people, and forever plotting to impose his invisible dominion over all the other nations of the earth.

And he was also a handy scapegoat and whipping boy. Thus Hitler blamed the Jews for the German defeat in World War I and declared that if during that war "twelve or fifteen thousand of those Hebrew corruptors had been held under poison gas . . . the sacrifice of millions at the front would not have been in vain."⁸

Moreover, as Sir Hartley Shawcross, the British Chief Prosecutor at the trial of Goering and other top Nazi war criminals, pointed out in his summation, the Nazi "attack on the Jews was at once a secret weapon—an enduring fifth column weapon—to split and weaken the democracies and a device for unifying the German people for war."

Another reason for Hitler's fulminations against the Jews is that he regarded them as devotees of democracy and majority rule and hence the natural foes of his totalitarian theory of government with its denial of human rights and fundamental freedoms and with its insistence on unquestioning obedience to the will of the supreme leader. Indeed, he sought to discredit democracy by branding it as Jewish.

Whoever defends the principles of democracy, he said, "completely forgets that democracy is fundamentally not German: it is Jewish. It has been completely forgotten that this Jewish democracy with its majority decisions has always been without exception only a means for the destruction of any existing Aryan leadership."⁹

"Germany, awake—Judah must perish," was the battle cry of Hitler's cohorts from the inception of the Nazi Party. Their favorite song contained these revealing lines:

"When our knives draw Jewish blood
Our hearts are twice as light."

And no sooner were the Nazis in power than they began to translate these war cries into suitable actions.

Terrorized by an organized anti-Jewish boycott and acts of violence, German Jewry appealed to the authorities for protection. The answer given by General Wester, Chief of Police of Frankfurt on the Main, was typical and significant, illustrating clearly as it did the methods chosen by the Nazis to get rid of the Jews. He said:

You Jews need not tremble. We will be legal, so legal that you may become sick of this legality.¹⁰

From the outset, this so-called "legality" with respect to Jews was the law of violence, and the violence itself masqueraded as law.

There is no need to rehearse here what followed Hitler's assumption of the helm of government: how the Jews were daily denounced as enemies of Germany; how they were ousted from the cultural, social, and economic life of the country; how, by means of the infamous Nuremberg racial laws and other anti-Jewish legislation, they were reduced to the status of pariahs; how they were denied the most elementary justice in the courts.

The anti-Jewish campaign reached its pre-war climax in the pogrom of November, 1938, following the assassination of a minor Nazi diplomat in Paris by a 17-year-old Jewish boy. Hundreds of Jews were killed or driven to suicide, over 200 synagogues were dynamited and destroyed. And this country-wide orgy of violence, rapine, and destruction was followed by additional anti-Jewish legislation designed to complete the ruination of German Jewry.

The last vestige of legality in the anti-Jewish measures was destroyed. The people assumed that everything was permitted as far as the Jews were concerned. Holtz, close collaborator of Julius Streicher, the infamous Jew-baiter, stated:

All of us were of the opinion that we now faced a completely new state of affairs with regard to the Jewish question. By the great action against the Jews, carried out in the night and morning of November 10, all guiding principles and laws on this subject had been made illusory.¹¹

Commenting on the November riots, the noted author Heinrich Mann declared that "the object of the pogrom was educational. Its purpose was to educate mankind to inhumanity by getting it accus-

tomed to the sight of cruelty. Dehumanization is the only teaching of Nazism."¹²

The November pogrom was a dress rehearsal for the terrible events which were to follow.

When, during the trial of Goering *et al*, the question was asked as to how it was possible to commit such incredible crimes as the slaughter of millions of helpless civilians, an old Party member, SS General Erich Bach-Zalevsky, thus explained the psychology of these mass murders:

I am of the opinion that when for years, decades, the doctrine is preached that the Slavs are an inferior race, and Jews not even human, then such an outcome is inevitable.

The Military Tribunal in the Einsatz commanders' case also saw in the tragic events of 1941-1943 only the fatal logical consequence of the propaganda and activities which began as early as 1920. Said the Court:

From 1920, when the Nazi Party program with its anti-Semitic policy was published, until 1941, when the liquidation order went into effect, the ever mounting severity of Jewish persecutions was evident to all within the Party and especially to those charged with its execution. One who participated in the program which began with Jewish disenfranchisement and denationalization and led, step by step, to deprivation of property and liberty, followed by beatings, whippings, and measures aimed at starvation, may not plead surprise when he learns that what had been done sporadically, namely, murder, now is officially declared policy. Hitler publicly declared in a speech to the Reichstag that if war should come it would mean 'the obliteration of the Jewish race in Europe'."

If, before the beginning of the war, Hitler's anti-Semitic propaganda and all so-called "legislative and administrative measures" were designed to fight the Jew as the domestic enemy, after the outbreak of hostilities the nature of both the propaganda against and persecution of the Jewish people changed. From an internal enemy the Jew was transformed into an external one.¹³

In the eyes of the Nazis, Jewry became not only the ally of the anti-Nazi coalition, but also its spiritual leader.

Analyzing the composition of the anti-German alliance which brought democratic England and America close together with Communist Russia, Hitler explained that "this alliance . . . can only be understood because the leadership . . . lies in the hands of international Jewry," and the countries of the anti-German coalition were subordinated to this leadership.¹⁴ And that was why the war "will create a front of Aryan humanity against the international Jewish destroyers."¹⁵ Europe declared this war against the states governed

by Jews and it was in reality "a gigantic struggle between nations and races. However, this war will not destroy the German nation but will exterminate all Jews."¹⁶

Hitler deliberated "Judaized" England, the United States, and the Soviet Union. He believed that a skillful propagandist should never present each enemy as a separate unit, but as belonging to one and the same category, and united under the same colors. Said he:

It belongs to the genius of a great leader to make even adversaries far removed from one another seem to belong to the same category, because in weak and uncertain characters the knowledge of having different enemies can only too readily lead to the beginning of doubt in their own right.¹⁷

Thus designating the Jewish people as "Enemy No. 1" and employing this designation not only in the press, on the radio, and in statements by government spokesmen, scholars, and political, military, and industrial leaders, but also in laws and judicial decisions, Germans interpreted the term "enemy" in such a way as to permit the extermination of the Jews.

After the outbreak of war, the Nazi leaders no longer made any secret of their determination eventually to annihilate the whole of European Jewry, especially after the conquest of Poland and other East European countries with their vast and compact Jewish populations. In the ominous words of Robert Ley, head of the German Labor Front and one of the most bloodthirsty exponents of Nazism:

Today, however, the German Wehrmacht stands on the soil which was the starting-point of the Jewish thrust for world domination. All the thousands of towns and villages where the Jews have constituted far more than 50 per cent of the population, and which have furnished inexhaustible reinforcements for all the Jewish powers in the world, are now in our hands. The enemy's base is occupied and the realization of former mistakes and sins of omission is keenly alive. Germany will draw the necessary conclusion from this knowledge.¹⁸

Once Eastern Europe—for centuries the greatest reservoir of Jewish manpower and spiritual strength—was in their clutches, the Nazis addressed themselves to the task of exterminating the Jewish population. By herding the helpless Jews into unsanitary and overcrowded ghettos, and by subjecting them to forced labor and systematic starvation, they decimated their numbers. Presently they discarded these slow methods of genocide for the quicker and more efficient ones of the firing squad, the gas van, and the gas chamber.

With the German people properly indoctrinated for mass murder, especially of Jews, the stage was set for the greatest crimes against humanity in the tragic annals of man, including those which came to light in the trial of the commanders of the Einsatzgruppen.

CHAPTER V

THE VERDICT

After all the evidence in the trial of the commanders of the Einsatzgruppen was in, Brig. Gen. Taylor, the Chief Prosecutor, pointed out in his brilliant summation that

the crime in this case is murder—deliberate, premeditated murder; murder on a gigantic scale; murder committed for the worst of all possible motives. Some of these defendants still believe that what they did was not murder because the victims were Jews. No system of domestic or international penal law could possibly survive under which the determination of guilt for murder is governed by the political or religious creed or racial origin of the victim. It is vitally important to the peace of the world that no such doctrine gain currency among nations. We earnestly suggest to the Court that true judicial wisdom in this case counsels firmness rather than leniency to those adjudged guilty of these terrible crimes against humanity.

The Military Tribunal was overwhelmed and shocked by the mentality, bestiality, and terrible atrocities of the defendants and time and again stressed this in the Judgment, which occupies 249 pages, and which is a masterpiece of legal and factual analysis and reasoning.*

Fourteen defendants were sentenced to death by hanging, two to life imprisonment, three to 20 years' imprisonment, and two to 10 years' imprisonment. One was acquitted because he was not involved in the atrocities, but given a short prison term for being a member of the SS, declared to be a criminal organization by the International Military Tribunal.

More than a million Jews were murdered. Are the scales of justice balanced?

* The Military Tribunal was composed of the following three justices: Presiding Judge Michael A. Musmanno, Judge of the Court of Common Pleas, Pittsburgh, Pa.; Judge John J. Speight, formerly Special Assistant to the Attorney General of the United States, Dothan, Ala.; Judge Richard D. Dixon, former Judge of the Superior Court of North Carolina, Edenton, N. C.

NOTES

In view of the fact that we used the mimeographed Official Transcript of both trials of top Nazi war criminals (Goering *et al.*, and the commanders of the Einsatzgruppen) we do not indicate the pages in the case of some quotations. In so far as documents presented at these trials were printed we give the sources where they may be found.

CHAPTER II

1. Doc. L-180. *Nazi Conspiracy and Aggression* (hereafter cited as *Nazi Conspiracy*), Office of U.S. Washington, Vol. III, p.984.
2. Doc. 878-PS, *ibid.*, Vol. III, p.634.
3. Closing address, *ibid.*, Supp. A, p.131.
4. Doc. L-180, *ibid.*, Vol. VII, p.979.
5. Even greater was the disappointment at the situation in Latvia, Estonia and White Ruthenia, where the population on its own part refrained from any action against Jews and "is not prepared to take part in any pogroms" in spite of terror of the Soviet regime. (Doc. R-102, *ibid.*, Vol. VIII, p. 101.)
6. Doc. 3428-PS, *ibid.*, Vol. VI, p.131-133. The suggestion to save the Jews for labor was made after the author acknowledged that about 55,000 Jews had been liquidated in White Ruthenia. On July 28 and 29, 1942, in the City of Minsk, 10,000 Jews were killed, "predominantly aged persons, women, and children unfit for labor."
7. Doc. 501-PS, *ibid.*, Vol. III, p.418.
8. *Trial in the Case of the Atrocities committed by the German Fascist Invaders in the City of Kharkov* (Russian), Moscow, 1944, p.37.
9. Doc. 135-R, *Nazi Conspiracy*, Vol. VIII, p.205.
10. Doc. 3257-PS, *ibid.*, Vol. V, p.99.

CHAPTER III

1. Doc. 1919-PS, *Nazi Conspiracy*, Vol. IV, p.559.
2. The Military Tribunal appreciated these fairy tales at their true value, stating sarcastically: "It would seem they were ready to help him [the Jew] in every way except to save him from being killed."

CHAPTER IV

1. As Justice Robert Jackson pointed out in his brilliant closing statement: "It is their right, if they choose to renounce the Hebraic heritage in the civilization of which Germany was once a part. Nor is it our affair that they repudiated the Hellenic influence as well. . . . It is not their thoughts, it is their overt acts which we charge to be crimes."

2. A. Hitler, *Mein Kampf*, translated by R. Mannheim, Chapter XIV, "Eastern Orientation of Eastern Policy," pp.640-667.

3. The cultivation of a feeling of personal interest was attempted in the most cynical manner by Erich Koch, the Reichskommissar for the Occupied Ukraine (USSR) in his address to the army: "I have already given you my word that in the Eastern regions which have been conquered you will be given enterprises and places of employment before anyone else. You and your children will fill with the German life the land which has been saturated with German blood." (Quoted by Prof. A. Trainin in *Ougolovnaja otvetstvenost Hitlerowzew*, Moscow 1944, p.63.)

Himmler, too, stressed that the Germanization of the East could not be understood "simply as teaching the German language and the German law to the inhabitants. We must see to it that *only* Germans, *only* people of true German blood should inhabit the East." (*Das Schwarze Corps*, August 1942.)

4. Herman Rauschning, *The Voice of Destruction*, pp.137-138, 225.

5. *Neue Volkszeitung*, New York, September 2, 1944. See also Louis Lochner, *What About Germany*, New York, 1944.

6. Carl Rudolf Best, "Grossraum Ordnung und Grossraum Verwaltung," *Zeitschrift fuer Politik*, June, 1942.

7. Quoted by V. S. Swaminathan, "War by Starvation," *The Spectator*, London, No. 6060, August 18, 1944.

8. Hitler, *Mein Kampf*, p.679.

9. *Hitler's Speeches*, English translation, edited by Norman H. Baynes, Vol. I, p.13.

10. *Das Schwarzbuch: Tatsachen und Dokumente*, Paris, 1934, p.60.

11. Doc. 1757-PS, *Nazi Conspiracy*, Vol. IV, p.284.

12. *Der Pogrom: Dokumente der braunen Barbarei*, mit Vorwort von Heinrich Mann.

13. On January 6, 1944, Hitler called the attention of the Army to the book *Wofur Kampfen Wir?* ("What are we fighting for?"), published by the Personnel Office of the German Army, with a preface by Adolf Rosenberg. In this pamphlet the Jews were represented as "Enemy No. 1," and it was stressed that the anti-German coalition was directed by international Jewry, as the champion of democracy.

14. *New York Times*, January 2, 1943.

15. *Ibid.*, January 31, 1941.

16. *Ibid.*, March 11, 1942; January 2, 1943.

17. Hitler, *Mein Kampf*, p.118.

18. Quoted by *Jewish News*, No. 11, 1942.

THUMBNAIL SKETCHES OF PERSONS OTHER THAN THE DEFENDANTS
IN CASE NO. 9 REFERRED TO IN THIS STUDY

FRANK, Hans: Leading Nazi Party lawyer who became Bavarian Minister of Justice in 1932; Governor General of Poland, 1939-1945; sentenced to death by the International Military Court at Nuremberg.

FUNK, Walter: Minister of Economics; President of the Reichsbank; sentenced to life imprisonment by the IMT.

GOERING: Reichsmarshal Hermann Wilhelm; Reich Minister for Air; designated successor to Hitler and No. 2 official in the Nazi regime; founder of the Gestapo and concentration camp system; dismissed from all his offices and right of succession and arrested on Hitler's order for attempting to seize power in late April, 1945; denounced for treason and expelled from the Nazi Party in Hitler's political testament of April 29, 1945; committed suicide after being condemned to death by the IMT at Nuremberg in October, 1946.

HEYDRICH, Reinhard: Chief of the Security Police and SD, and head of the RSHA; Reich Protector for Bohemia and Moravia, where his cruelty earned him the title of "The Hangman"; assassinated in Prague in May, 1942.

HIMMLER, Heinrich: Chief of the German Police; in the spring of 1945 made unsuccessful peace overtures to the Western Allies through Count Folke Bernadotte; expelled from the Nazi Party and dismissed from all his offices by Hitler in his political testament of April 29, 1945, and ordered arrested for treason; committed suicide after capture by British troops in May, 1945.

KALTENBRUNNER, Ernst: Heydrich's successor as Chief of the Security Police and SD, and head of the RSHA; sentenced to death by the IMT.

SCHIRACH, Baldur von: Reich Youth Leader; sentenced to 20 years in prison by the IMT.

STREICHER, Julius: Editor and publisher of *Der Stuermer*; known as Germany's No. 1 Jew-baiter; sentence to death by the IMT.

ABBREVIATIONS

GESTAPO—Geheime Staatspolizei (Secret State Police). The German secret state police organized under the Nazi regime for operation against political offenses.

NSDAP—Nationalsozialistische Deutsche Arbeiterpartei (National Socialist German Workers' Party). The full, official name of the Nazi Party.

SS—Schutzstaffel (Protective Force). The Elite Guard of the Nazi Party used for military and political purposes. Known also as the Black Shirts.

SD—Sicherheitsdienst (Security Service). The security police under the Nazi regime.

SA—Sturmabteilung (Storm Section). The Nazi force known as the Brown Shirts and as Storm Troopers.

Reichssicherheitshauptamt (Reich Main Security Office).

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